IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,	)	
	)	
Plaintiff,	)	4:09CR3031
	)	
V.	)	
	)	MEMORANDUM
LOWELL BAISDEN,	)	AND ORDER
	)	
Defendant.	)	
	)	

Judge Zwart issued a warrant for the arrest of the defendant. See filing 287. The defendant was alleged to have recently applied for a passport and had planned to travel to India on or about February 7, 2012, allegedly for employment purposes. If true, this was a violation of his conditions of pretrial release.

On February 6, 2012, I received a telephone call from John Vanderslice, counsel for the defendant, and Steve Russell, the prosecutor. While Mr. Vanderslice indicated that the allegations in the petition were true, he requested that I recall the warrant because there were mitigating circumstances. I refused. Mr. Vanderslice then requested that I issue an order directing the Marshals not to return the defendant to the District of Nebraska but to deliver him to the prison designated by the Bureau of Prisons. Mr. Vanderslice sought to protect his client from being transported from California to Nebraska and then to a prison, all the while in the custody of the U.S. Marshal's Service. The government did not object so long as it was understood that Mr. Baisden was receiving an accommodation from the Court. Mr. Vanderslice acknowledged that his request was meant to accommodate Mr. Baisden; that is, to cut down on the time Mr. Baisden would be in travel status with the U.S. Marshal's Service. Accordingly,

IT IS ORDERED that:

(1)   The U.S. Marshal's Service shall deliver the defendant to the custody of the Bureau of Prisons and not return him to the District of Nebraska.

(2)   The Clerk shall deliver a copy of this memorandum and order to the U.S. Marshal's Service.

(3)   The Clerk shall term filing 287.

(4)   The Clerk shall provide Magistrate Judge Zwart with a copy of this memorandum and order.

DATED this 6th day of February, 2012.

BY THE COURT:

Richard G. Kopf
Senior United States District Judge